United Nations S/2006/249

Security Council

Distr.: General
19 April 2006

Original: English

Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1634 (2005) of 28 October 2005, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2006. The report covers developments since the issuance of my report dated 13 October 2005 (S/2005/648).

II. Recent developments in Western Sahara

2. On 6 November 2005, a ceremony was held in Laayoune to mark the thirtieth anniversary of Morocco's "Green March" into Western Sahara. From 24 to 28 February 2006, the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario) held celebrations to mark the thirtieth anniversary of the "Saharan Arab Democratic Republic" in Tindouf, Algeria, and Tifariti, Western Sahara, about 70 kilometres east of the berm. On 20 March 2006, King Mohammed VI arrived in Laayoune for a five-day visit to Western Sahara. He announced the appointment of a new President and other high-level officials to the Royal Advisory Council for Saharan Affairs, in an effort to revive the body, which comprises traditional leaders (sheikhs), civil society representatives and elected members.

3. During the period under review, several demonstrations calling for the self-determination of the people of Western Sahara and respect for their human rights were organized in Laayoune and other main towns in the Territory. The demonstrations led to violent confrontations between the participants and the Moroccan security forces, resulting in arrests and detentions. Tensions were particularly acute in late October, following the death of a young Saharan demonstrator as a result of injuries incurred during a protest held in Laayoune on 29 October 2005. Moroccan authorities subsequently ordered the arrest and detention of two police officers involved in the incident, pending the completion of a judicial inquiry into the circumstances of the demonstrator's death. In response to the demonstrations, the presence of Moroccan security and police forces increased in all the main towns in Western Sahara, and in December, army troops were deployed in the Territory, for the first time since 1999. In letters addressed to me on 17 November 2005, 14 and 20 December 2005 respectively, the Secretary General

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of the Frente Polisario, Mohamed Abdelaziz, called upon the United Nations to intervene to protect the Saharan citizens and guarantee their human rights, condemned the intervention of the Moroccan police and military in the demonstrations and warned that the deployment of Moroccan military officers to Western Sahara constituted a dangerous development that could lead to additional incidents, including "deadly confrontations" between Moroccan and Saharan civilians.

4. On 25 March 2006, the King of Morocco granted pardons to 216 prisoners, including 30 Saharan activists. Pro-Saharan demonstrations were organized in Laayoune, Boujdour, Dakhla and Smara to welcome the release of the Saharan activists and demand the release of 37 more Saharan political prisoners. According to various media reports, Moroccan security forces intervened to disperse the demonstrators, leading to a number of arrests. On 28 March, Mr. Abdelaziz again wrote to me, expressing concern about the human rights abuses perpetrated by the Moroccan security forces in connection with the recent demonstrations, in particular in Smara, where several persons had been reportedly detained and some, including women, had been injured on 26 March. Subsequently, Mr. Abdelaziz travelled to New York where he met with me at United Nations Headquarters on 3 April to express concern about the current situation in the Territory.

III. Activities of my Personal Envoy

5. Following preliminary discussions in New York with the representatives of the two parties, the Government of Morocco and the Frente Polisario, and the representatives of the neighbouring countries, Algeria and Mauritania, my Personal Envoy, Peter van Walsum, undertook an exploratory mission to the region from 11 to 17 October. On arrival in Rabat on 11 October, Mr. van Walsum and his delegation were joined by Francesco Bastagli, my Special Representative for Western Sahara. In Casablanca, Morocco, Mr. van Walsum was received by King Mohammed VI. In Rabat, he met with the Prime Minister, Driss Jettou, and the Minister for Foreign Affairs and Cooperation, Mohamed Benaissa, the Minister of the Interior, Moustafa Sahel, the Minister Delegate for Foreign Affairs and Cooperation, Taieb Fassi Fihri, the Moroccan Coordinator with MINURSO, Hamid Chabar, and other senior government officials. In the Tindouf area, where he arrived on 14 October, my Personal Envoy met with Mr. Abdelaziz, as well as with the Frente Polisario Coordinator with MINURSO, M'Hamed Khadad, other senior Frente Polisario officials and sheikhs. In Algiers, where he arrived on 15 October, my Personal Envoy was received by the President of Algeria, Abdelaziz Bouteflika, and met with the Minister for Foreign Affairs, Mohammed Bedjaoui, the Minister of State for African Affairs, Abdelkader Messahel, and other senior government officials. In Nouakchott, on 17 October, Mr. van Walsum was received by the President of the Military Council for Justice and Democracy, Head of State, Colonel Ely Ould Mohamed Vall, and met with the Prime Minister, Sidi Mohamed Ould Boubacar, the Minister for Foreign Affairs, Ahmed Ould Sid'Ahmed, and other senior government officials.

6. Subsequent to his exploratory visit to the region, my Personal Envoy informed me that the question was still at an impasse and that there continued to be a total lack of agreement on how to enable the people of Western Sahara to exercise their right to self-determination. Morocco had reiterated that it would not accept a

referendum that would include the option of independence. It strongly advocated negotiations, with a view to achieving a just, lasting and mutually acceptable political solution but made it clear that these would have to be about the autonomy status of Western Sahara. The position of the Frente Polisario, with the general support of Algeria, was that the only way forward was to implement either the Peace Plan for the Self-Determination of the People of Western Sahara or the Settlement Plan. Both had been approved or supported by the Security Council and both provided for self-determination through a referendum, with independence as one of the options. Any other course would not be acceptable to the Frente Polisario. Mauritania had reiterated its strict neutrality.

7. During meetings in Rabat, Tindouf, Algiers and Nouakchott, all officials confirmed to my Personal Envoy their commitment to cooperate with the United Nations in order to reach a solution to the Western Sahara issue as soon as possible, as a prerequisite for the stability and development of the region. On his return from the region, my Personal Envoy held consultations with the authorities of Spain, France and the United States of America in Madrid, Paris and Washington, D.C. on 18, 19 and 25 October, respectively.

8. In accordance with paragraph 4 of Security Council resolution 1634 (2005), my Personal Envoy briefed the Security Council on 18 January 2006 on the progress of his efforts. The elements of that briefing, and the reactions to it, as expressed during the subsequent meetings my Personal Envoy had with the parties and representatives of the neighbouring countries, are contained in section VII of the present report.

9. During the month of February 2006, my Personal Envoy held a series of consultations with the authorities of the United Kingdom of Great Britain and Northern Ireland, Spain, France and the United States authorities in London, Madrid, Paris and Washington, D.C., respectively, as well as with the Chairperson of the Commission of the African Union in Addis Ababa, Alpha Oumar Konare, and senior authorities of the European Union in Brussels. He perceived a consensus within the international community on the need to reach a solution to the Western Sahara issue as soon as possible in order to enable the people of Western Sahara to exercise their right to self-determination.

IV. Activities on the ground

A. Military

10. As at 15 March, the military component of MINURSO stood at 223 personnel, including administrative clerks and a medical unit, against the authorized strength of 231. The military component continued to actively monitor the ceasefire, which has been in effect since 6 September 1991.

11. During the reporting period, MINURSO performed 3,729 ground patrols and 157 air patrols to visit and inspect units of the Royal Moroccan Army and the military forces of the Frente Polisario, in accordance with military agreement No. 1 concluded between the Royal Moroccan Army and MINURSO on the one hand, and the Frente Polisario military forces and MINURSO on the other. Night operations were introduced in October (see S/2005/648, para. 20), in accordance with the new

concept of operations, which came into effect on 1 October. At the same time, MINURSO has proposed to the parties the establishment of a joint military verification commission, including representatives from both sides and MINURSO, to allow for the exchange of information and transparency in the implementation of the ceasefire. The revised focus of operations has resulted in a 25 per cent increase in the number of ground patrols compared to the previous reporting period.

12. Violations by both parties have decreased since the previous reporting period (S/2005/648, para. 8). Furthermore, the Frente Polisario lifted the restrictions on the movement of United Nations military observers, which had been in place for several years, allowing access to its military units for inspection purposes. From 14 October to 15 March, MINURSO observed eight new violations by the Royal Moroccan Army and four new violations by the military forces of the Frente Polisario, reflecting a decrease of almost 50 per cent in the overall number of violations compared to the previous reporting period. The violations included continued incursions into the buffer strip by armed elements from both sides, construction of new physical structures and movement of weapons and military units without prior notification or approval by MINURSO. MINURSO reported that the concentration of military forces of the Frente Polisario during the military parade held in Tifariti on 27 February included about 2,600 troops, 150 camels and 40 armoured personnel carriers, and hence constituted a violation of military agreement No. 1.

13. However, MINURSO continued to observe long-standing violations by both parties. These included the presence of radar equipment and improvement of the defence infrastructure, including expansions of the berm, by the Royal Moroccan Army, and the continued deployment of military personnel and infrastructure improvements by the Frente Polisario in the area known as the "Spanish Fort", as described in my report to the Security Council (S/2005/49, para. 6). Close liaison with the parties led to defused tensions on the eve of the Frente Polisario celebrations of the thirtieth anniversary of the "Saharawi Arab Democratic Republic" and planned civilian demonstrations at the berm were not held.

14. With regard to military agreements No. 2 and No. 3, the parties continued to extend cooperation to MINURSO in the marking and disposal of mines and unexploded ordnance. During the period under review, MINURSO discovered and marked 29 mines and pieces of unexploded ordnance and monitored the destruction of 3,381 such devices. In cooperation with the United Nations Mine Action Service, the parties and non-governmental organizations, the Mission also organized activities to clear mines and unexploded ordnance and to raise awareness of the issue among the population in the Territory, where weather conditions often cause mines and tracks to shift, making previously safe areas dangerous. On 3 November, the Frente Polisario signed the Geneva Call's "Deed of commitment" for non-State actors, banning the use of anti-personnel mines and committing to the destruction of current stockpiles. On 27 February, the Frente Polisario proceeded to destroy 3,100 anti-personnel mines and an anti-tank mine near Tifariti; MINURSO monitored the operation.

B. Prisoners of war, other detainees and persons unaccounted for

15. The International Committee of the Red Cross continues to work with the parties in accounting for those who are still missing in relation to the conflict.

C. Assistance to Western Saharan refugees

16. Following a joint decision by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) to reduce the number of assisted beneficiaries from 158,000 to 90,000 (see S/2005/648, para. 11), representatives of UNHCR and WFP met with senior officials of the Government of Algeria and the Frente Polisario from 14 to 19 February to review the issue of the number of refugees requiring assistance. Discussions on these issues are ongoing. On 18 and 19 March, UNHCR and WFP jointly led a donor mission to the Tindouf area to enable donors to become acquainted with relief activities in the refugee camps. The Mission contributed to raising donor awareness of the precarious humanitarian situation in the Tindouf area refugee camps, where supplies of wheat flour and sugar are expected to be exhausted by the end of April.

17. From 9 to 11 February, four refugee settlements in the Tindouf area were affected by heavy rainfall and flash floods, which caused severe damage to the already fragile infrastructure of the camps. Between 50,000 and 60,000 refugees were left homeless after their shelters, made of mud bricks, failed to withstand the flooding. Schools and dispensaries were also severely damaged. The Office of the United Nations High Commissioner for Refugees, WFP and the Algerian Red Crescent immediately put into place an emergency response mechanism to address the crisis, while Algeria dispatched a humanitarian convoy to bring relief to the Saharan refugees. In the early stages of the emergency response, MINURSO assisted through the provision of water tanks, as well as in the distribution and overall coordination of assistance. I commend the rapid and effective response of the Government of Algeria and the refugee community itself in dealing with the short-term effects of the crisis. I am also grateful for the generous support provided by various donor countries to fund the delivery of emergency assistance to the affected population. However, while access to basic services has now been restored, assessment of the damage caused and rehabilitation required is still ongoing. It is currently estimated that in addition to a critical shortage of adequate shelter, the food situation in the camps has been adversely affected. I therefore call upon donors to continue to contribute generously to assistance programmes targeting Saharan refugees affected by the recent crisis.

D. Confidence-building measures

18. I am pleased to report that on 25 November, after an eleven-month hiatus, UNHCR and MINURSO were able to resume the programme of exchange of family visits between the Territory and the refugee camps in the Tindouf area. In accordance with the plan of action, MINURSO provides assistance and logistical support to UNHCR, which retains overall responsibility for the implementation of the programme and the protection of beneficiaries. As at 15 March, some 610 persons had taken the weekly United Nations flights to and from the Territory and the Tindouf area refugee camps, bringing the total number of beneficiaries since the start of the programme to 2,086. Over 17,000 candidates (about 6,000 in the Territory and some 11,000 in the camps) are currently on the waiting list to participate in the programme, while Saharans on both sides of the berm have requested that the lists be reopened to enable additional candidates to register, reflecting their high level of interest in the programme. The Office of the United

Nations High Commissioner for Refugees and my Special Representative for Western Sahara are exploring with the parties the possibility of expanding the programme to increase the number of beneficiaries. However, any expansion of the programme to increase the number of family visits or register additional candidates would require more than the estimated $3.6 million requested for the 2006 programme. I urge donors to contribute generously to this important humanitarian initiative, which is highly valued by its beneficiaries and fosters solidarity and mutual understanding among Saharans.

19. It will be recalled that the Mission's support for the exchange of family visits programme included the deployment of civilian police officers who escort the participants in the programme on United Nations flights across the berm and monitor and facilitate the airport procedures at the arrival and departure points.

20. The telephone service between the Tindouf area camps and the Territory continued to operate successfully during the reporting period. Since its establishment, over 43,700 calls have been made from the camps, enabling refugees to communicate with their relatives in the Territory. As previously reported, UNHCR remains ready to implement the postal service, in accordance with the modalities initially proposed or under any terms that would meet with the approval of all concerned.

E. Illegal migrants

21. During the reporting period, MINURSO was again called upon to assist in responding to the humanitarian plight of migrants stranded in the Western Saharan desert. From 12 to 16 October 2005, following reports from UNHCR and several non-governmental organizations operating in the Territory that a number of sub-Saharan migrants had been stranded in the desert, MINURSO organized ground and air patrols to help locate them. As of 17 October, a total of 115 migrants had been found; all were in poor physical condition owing to lack of food and water for several days and some were injured. The migrants alleged that they had been stranded in the desert after having been forced across the berm into the buffer strip. Acting on a purely humanitarian basis, MINURSO assisted them through the provision of water, food and emergency medical aid before transferring them to the care of the Frente Polisario. By the end of November, 154 illegal migrants, primarily from sub-Saharan Africa, had arrived at Bir Lahlou, Mehaires and Agwanit, where they were provided with shelter under the care of the Frente Polisario. In December, 93 of the migrants voluntarily left Frente Polisario premises by their own means, leaving a total of 61 migrants in the Territory. On 23 February, MINURSO facilitated the transfer of 26 of them from Bir Lahlou through Mijek to Zouerate, Mauritania, where they were received by UNHCR, following the Government of Mauritania's agreement to grant them temporary asylum, pending a solution to their situation. As at 12 April, 35 migrants, mainly from Cameroon and Ghana, continued to be provided with shelter in Bir Lahlou under the care of the Frente Polisario.

22. On 31 December 2005, a group of 17 West African migrants arrived at the MINURSO team site at Agwanit, seeking the Mission's assistance. MINURSO facilitated their transport to the Mauritanian border, from where they were repatriated. The group of 46 illegal migrants from Bangladesh, referred to in my

previous report (S/2005/648, para. 17), increased to 48 during the reporting period, with the arrival of two additional migrants of the same nationality. On 14 January, the group, which had been under the care of the Frente Polisario in the Tifariti area, were transported, with MINURSO's logistical assistance, to the border with Mauritania, where they were handed over to the International Organization for Migration (IOM) for voluntary repatriation.

23. While MINURSO continued to provide emergency assistance to stranded migrants and to contribute to repatriation operations, its capacity to assist stranded migrants remained limited. The increased presence of stranded migrants in the Territory placed heavier demands on the available resources of MINURSO, and increasingly impacted on the discharge of its core mandate. Since MINURSO is not able to assume ongoing responsibility to respond to the immediate requirements of stranded migrants, it has pursued contacts with humanitarian partners, which have the necessary mandate, expertise and resources, in an effort to develop a coordinated inter-agency response to the problem. Important progress was made in that regard at various meetings held in Geneva, with UNHCR, IOM and the United Nations Office for the Coordination of Humanitarian Affairs, at the initiative of MINURSO on 23 and 24 February.

F. Restructuring of the Mission

24. Further to the recommendations developed following the review of the Mission's civilian and military components (see S/2005/648, paras. 19-21), significant progress was achieved during the reporting period towards the restructuring of MINURSO. The establishment of a joint operations centre and a joint mission analysis cell have enhanced integration of the Mission's civilian and military activities, as well as improved data collection and information management. The joint operations centre has contributed to improved operational management to ensure full compliance with the Mission's military objectives. Through its subsidiary units — the information collection cell and the information analysis cell — the joint mission analysis cell manages the collection, storage and analysis of data on issues of relevance to the implementation of the mandate of MINURSO. The joint mission analysis cell has thus gradually developed into an effective instrument for the strategic management and decision-making of MINURSO. From 20 to 22 December, a MINURSO delegation travelled to Abidjan to share experiences and lessons learned from the joint mission analysis cell with staff of the United Nations Operation in Côte d'Ivoire.

25. As referred to in my previous report (S/2005/648, para. 20), measures were implemented to strengthen, from within existing resources, the capacity of the Mission's military component to monitor the ceasefire and the military agreements. In this context, the closure of the two sector headquarters on 31 October and the subsequent redeployment of their military personnel to nine observer team sites have enabled MINURSO to expand its ceasefire monitoring activities through a strengthened presence on the ground. Meanwhile, the introduction of night operations in October has allowed for more comprehensive monitoring of the parties' military activities, which is proving an effective deterrent to violations of military agreement No. 1. In addition, a hierarchical contact system between MINURSO and the parties' command structures was introduced to facilitate relations with the parties at all levels, in particular when tensions might develop.

26. In order to bring MINURSO in line with current peacekeeping practices, a geographic information system (GIS) cell was established. When the necessary equipment is purchased from within the Mission's current budget, MINURSO will have the capacity to produce its own topographical maps, which will replace the outdated aerial maps that are presently relied upon for operational and planning purposes. The initiative will also support the Mission's ongoing efforts to reduce the danger of mines and unexploded ordnance since a GIS system and accurate maps are essential to ensuring the safety of military observers in the parts of the Territory that are infested with mines and unexploded ordnance, as well as serve as a valuable management tool for the realization of other objectives of the Mission.

27. In accordance with current practice, the security adviser now reports directly to my Special Representative, while the functions of air operations and air safety have been separated to ensure compliance with air safety standards. In December, a team from the Department of Safety and Security conducted a security management review of MINURSO, which resulted in a number of recommendations to improve the physical security of the Mission and its security management systems. In line with those recommendations, measures have been implemented to improve the safety and security of MINURSO staff and premises, such as the introduction of an integrated warden system to facilitate expeditious evacuation, as needed. In order to ensure compliance with minimum operating security standards, resources have been allocated for infrastructure improvements to the Mission's headquarters and team sites, including the installation of bomb blast film on all windows, security lighting, boom gates and the construction of security fencing. The Mission is also contemplating the construction of wells in selected team sites, in particular on the east side of the berm, in an effort to improve staff comfort and security. Some security improvements require prior approval from local authorities.

28. Within the framework of the restructuring of the civilian and administrative components, selected support and maintenance functions are being outsourced, which, together with the staff reductions indicated in my previous report (S/2005/648, para. 21) and other cost-cutting measures, will bring about overall savings for the Mission. In the area of training, a Mission-wide integrated induction programme was launched in February to give all military, civilian and locally recruited personnel a comprehensive introduction to MINURSO and the United Nations. The programme is complemented by specific induction briefings tailored to the function of each recruit.

V. African Union

29. During the reporting period, the observer delegation of the African Union to MINURSO, led by its Senior Representative, Yilma Tadesse (Ethiopia), continued to provide support and cooperation to the Mission. I wish to reiterate my appreciation to the African Union for its contribution.

VI. Financial aspects

30. The General Assembly, by its resolution 59/308, appropriated the amount of $47,948,400, equivalent to $3,995,700 per month, for the Special Account for MINURSO for the period from 1 July 2005 to 30 June 2006. Should the Security

Council decide to extend the mandate of MINURSO beyond 30 April 2006, the cost of maintaining the Mission until 30 June 2006 would be limited to the amounts approved by the Assembly. As at 31 December 2005, unpaid assessed contributions to the Special Account for MINURSO amounted to $62.8 million. As a consequence of this, the Organization has not been in a position to reimburse the troop-contributing Governments for any costs incurred since April 2002. The total outstanding assessed contributions for all peacekeeping operations as at 31 December 2005 amounted to $2,918.8 million.

VII. Observations and recommendations

31. In his briefing of 18 January 2006 to the Security Council, my Personal Envoy pointed out that after April 2004, when Morocco had rejected the Peace Plan because it could not accept a referendum that included independence as an option, the Plan had never been mentioned again in a Security Council resolution. Nor had any country with close ties to Morocco apparently used its influence to try to persuade Morocco to reconsider its position. My Personal Envoy concluded from this that the Security Council was firm in its opinion that it could only contemplate a consensual solution to the question of Western Sahara. In this context, he did not see how he could draft a new plan that would replace the Peace Plan. A new plan would be doomed from the outset to be rejected by Morocco unless it excluded the provision for a referendum with independence as an option. He could not envisage such a plan. The United Nations could not endorse a plan that excluded a genuine referendum while claiming to provide for the self-determination of the people of Western Sahara.

32. My Personal Envoy considered, however, that what was unthinkable in a plan endorsed or approved by the Security Council might not be beyond the reach of direct negotiations. Once the Security Council recognized the political reality that no one was going to force Morocco to give up its claim of sovereignty over Western Sahara, it would realize that there were only two options left: indefinite prolongation of the current deadlock in anticipation of a different political reality; or direct negotiations between the parties.

33. The first option was dismissed by my Personal Envoy, who called a continuation of the current impasse a recipe for violence. Violence would not lead to an independent Western Sahara but would more likely condemn another generation of Western Saharans to growing up in the camps of Tindouf.

34. What remained therefore was a recourse to direct negotiations, which should be held without preconditions. Their objective should be to accomplish what no "plan" could, namely to work out a compromise between international legality and political reality that would produce a just, lasting and mutually acceptable political solution, which would provide for the self-determination of the people of Western Sahara.

35. After years of reliance on United Nations-sponsored plans, it should be made clear to the parties that the United Nations was taking a step back and that the responsibility now rested with them. This did not mean that the parties would henceforth be on their own. My Personal Envoy believed that there was a consensus in the Council that any solution to the problem of Western Sahara had to be found in the framework, or under the auspices, of the United Nations.

36. My Personal Envoy urged the Council to invite Algeria to participate in the negotiations. He also called on those members of the Council who had been supporting the position of Morocco, to do all in their power to make the negotiations succeed.

37. In the bilateral consultations my Personal Envoy held after his briefing, the Frente Polisario reiterated that it would under no circumstances negotiate about any kind of autonomy under Moroccan sovereignty. My Personal Envoy clarified that in his briefing he had spoken of negotiations without preconditions, with a view to achieving a just, lasting and mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara. The Security Council would not be able to invite parties to negotiate about Western Saharan autonomy under Moroccan sovereignty, for such wording would imply recognition of Moroccan sovereignty over Western Sahara, which was out of the question as long as no States Member of the United Nations had recognized that sovereignty. Negotiating without preconditions meant, as my Personal Envoy had pointed out in his briefing, that there would not be a precondition that the Frente Polisario first recognize Morocco's sovereignty over Western Sahara and then discuss the autonomy to be "granted" by Morocco.

38. My Personal Envoy recalled, as he had done in his briefing, the advisory opinion of the International Court of Justice of 16 October 1975, which concluded that there were no valid reasons as to why the rules for decolonization and self-determination, as contained in General Assembly resolution 1514 (XV), should not apply to Western Sahara. In this context, he observed that the advisory opinion had been handed down more than 30 years ago and that the resolution had still not been implemented. In reference to that inordinate lapse of time, my Personal Envoy observed that a solution for the question of Western Sahara could only be achieved if the parties worked to seek a mutually acceptable compromise based upon relevant principles of international law and current political realities. In the view of my Personal Envoy, the parties could work out such a compromise if they engaged in a constructive dialogue with each other on that basis.

39. The main obstacle, however, may not exist only in the positions adopted by the parties. Since his briefing of 18 January 2006, my Personal Envoy has become even more conscious of the forces outside the region that militate against the option for negotiations. It goes without saying that no country will state, or admit, that it favours a continuation of the impasse. But there seem to be two factors at play in most capitals: (a) Western Sahara is not high on the local political agenda; and (b) great store is set by continuing good relations with both Morocco and Algeria. These two factors combined constitute a powerful temptation to acquiesce to the continuation of the impasse, at least for another number of years. As long as Western Sahara does not advance on their political agendas, many countries will find the status quo to be more tolerable than any of the possible solutions.

40. I concur with the view of my Personal Envoy that the Security Council cannot afford to adopt such an attitude. It cannot wait for the question of Western Sahara to deteriorate from being a source of potential instability in the region to becoming a threat to international peace and security. Instead, both the Council and its individual member States should now rise to the occasion and do all in their power to help negotiations get off the ground. The objective of those negotiations between Morocco and the Frente Polisario as parties, and Algeria and Mauritania as

neighbouring countries, must be a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara.

41. It is my view that a prolongation of the current deadlock might lead to a deterioration of the situation in Western Sahara, as signalled by continued demonstrations and allegations of human rights abuses. I am concerned, in particular, about reports of heavy-handed responses to the recent demonstrations in the Territory, including the arrest and detention of several individuals. International and local observers, as well as defence counsel were allowed to attend trials; however, concerns regarding respect for fair trial standards were raised. In this respect, I would like to reiterate that although MINURSO does not have the mandate or resources to address this issue, the United Nations remains committed to upholding international human rights standards. It is in this context that the Office of the High Commissioner for Human Rights proposed last year to the parties to deploy a mission to Western Sahara and the Tindouf camps, as well as to Algeria, as the country of asylum. The mission would gather information on the human rights situation concerning the question of Western Sahara and propose measures through which the United Nations might be able to better assist in addressing human rights concerns. All concerned have now accepted the proposal, and following further consultations on the dates, Morocco has indicated that it would be prepared to receive the mission around 15 May 2006.

42. I welcome the reduction in the number of violations by the parties to military agreement No. 1. However, while the introduction of the new concept of operations has considerably enhanced the Mission's capability to monitor compliance with the agreement, with a consequent impact on the overall number of violations by the parties, it remains the responsibility of the parties to ensure that violations are not committed by their military/security forces. In this regard, I would encourage the parties to cooperate with MINURSO on a review of existing military agreements in order to better respond to evolving realities on the ground and clarify any issues that may be subject to different interpretations. As previously noted (S/2005/648, para. 25), any amendments to the agreements would have to be consistent with the principle that military and security forces should maintain the status quo during the ceasefire and should extend full freedom of movement to MINURSO military observers, in accordance with basic peacekeeping principles. The latter should include the freedom to inspect the military units, headquarters and installations of the parties in the Territory.

43. I remain concerned by the potential dangers for civilian demonstrators coming close to or within the buffer strip and restricted areas around the berm. Sufficient advance notification of such demonstrations should be given to MINURSO to enable the Mission to assist in averting the possibility of potentially serious injuries, and to make sure that United Nations observers reach the location of the demonstrations in a timely manner to verify allegations of violations of military agreement No. 1 by either side. Meanwhile, I commend the initiative of Frente Polisario to destroy a large portion of its stockpile of anti-personnel mines and call on both parties to undertake similar efforts, with the assistance of MINURSO.

44. The human dimension of the conflict, including the plight of the Western Saharan refugees, is a growing concern. In this context, I welcome the resumption of the exchange of family visits between the Territory and the refugee camps in the Tindouf area. Building on the success of these visits, I would encourage all parties

concerned to explore the possibility of increasing the number of beneficiaries of this humanitarian programme. I also look forward to the implementation of other confidence-building measures, in particular the organization of seminars on non-political topics involving members of civil society in both the Territory and the refugee camps in the Tindouf area. Further, I would like to commend the Mission's involvement in the provision of short-term humanitarian assistance to stranded migrants on the east side of the berm. While such activities lie beyond the mandate of MINURSO, the Mission cannot ignore the urgent humanitarian needs of the migrants, in particular in the absence of any humanitarian actors who are able to provide emergency relief. Meanwhile, I welcome the Mission's efforts to engage with humanitarian partners who have the competence and capability to provide more sustained support. I believe that the understanding reached in Geneva between MINURSO, UNHCR and IOM will not only facilitate a coordinated response to this problem but may also set a positive precedent for inter-agency cooperation in addressing the challenges posed by migration flows elsewhere in the world.

45. In view of the prevailing situation on the ground and my Personal Envoy's ongoing efforts, I believe that MINURSO continues to play a key stabilizing and ceasefire monitoring role. I would therefore like to recommend that the mandate of MINURSO be extended for a further period of six months, until 31 October 2006. I sincerely hope that during this time the parties will reflect on the prolonged period that has elapsed since the start of this conflict and on the need for both to take actions that may lead to a just, lasting and mutually acceptable solution.

46. In conclusion, I would like to express appreciation to my Personal Envoy, Peter van Walsum, for his efforts in search of a solution to the question of Western Sahara, as well as to my Special Representative, Francesco Bastagli, and the men and women of MINURSO, who continue to work tirelessly under difficult conditions in the discharge of the Mission's mandate.

Annex

United Nations Mission for the Referendum in Western Sahara: contributions as at 7 April 2006

Country	*Military Observers*[a]	*Troops*[a]	*Civilian police*[b]	*Total*
Argentina	1	0	0	1
Austria	2	0	0	2
Bangladesh	8	0	0	8
China	19	0	0	19
Croatia	2	0	0	2
Denmark	1	0	0	1
Egypt	19	0	2	21
El Salvador	3	0	4	7
France	21	0	0	21
Ghana	6	7	0	13
Greece	1	0	0	1
Guinea	5	0	0	5
Honduras	13	0	0	13
Hungary	7	0	0	7
Ireland	4	0	0	4
Italy	5	0	0	5
Kenya	9	0	0	9
Malaysia	14	0	0	14
Mongolia	3	0	0	3
Nigeria	7	0	0	7
Pakistan	8	0	0	8
Poland	1	0	0	1
Republic of Korea	0	20	0	20
Russian Federation	25	0	0	25
Sri Lanka	2	0	0	2
Uruguay	7	0	0	7
Total	**193**	**27**	**6**	**226**

[a] Authorized strength of military personnel is 231.
[b] Authorized strength is 6.